

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

IN RE: DAVID LEVINE, BANKRUPTCY NO: 3-19-BK-01048
MONICA LEVINE
Debtors.

MOTION FOR RELIEF FROM STAY

Now comes Martin P. Sheehan, Esq., Trustee of the Bankruptcy Estate of Geostellar, Inc., by his attorneys, Martin P. Sheehan, Esq., and Sheehan & Associates, PLLC and notes that now pending before the Court is an adversary proceeding in the Geostellar, Inc., bankruptcy case, No. 18-bk-0045. That adversary proceeding is known as Martin P. Sheehan, Trustee of the Bankruptcy Estate of Geostellar, Inc., v. David A. Levine, and Indeco Union, a Delaware Corporation, AP No. 3:19-ap-0024.

This litigation was filed before Mr. Levine filed for bankruptcy relief. At this time, Mr. Levine is a debtor in a Chapter 7 bankruptcy case.

The bar date for objecting to his discharge has expired.

The Bankruptcy Estate of Geostellar, Inc., has not objected to that discharge.

Consequently, Mr. Levine has no personal interest in the litigation against him beyond any available insurance coverage. Relief from the stay is in order to permit the litigation to proceed to the extent of insurance. See Anderson v. Robinson, 186 W.Va. 92, 411 S.E.2d 35 (1993) and In re: Honosky, 6 B.R. 667 (Bankr. S.D. W.Va. 1980).

It appears that Philadelphia Insurance Co., has been providing a defense to David A. Levine in that case. See Motion to Pay Attorney Fees filed in In re: Geostellar, at Docket Entry 161.

The Trustee moves the Court for relief from stay in this case to permit the litigation to proceed to the extent of insurance.

WHEREFORE, the Bankruptcy Trustee of the Bankruptcy Estate of Geostellar, Inc., asks that the Stay be lifted to the extent of insurance.

RESPECTFULLY SUBMITTED,

/s/ *Martin P. Sheehan*

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CERTIFICATE OF SERVICE

This is to certify that on the December 18, 2020, the foregoing Motion for Relief from Stay filed electronically via the Court's EM/ECF filing system, and notice is given through that system and the email notification listed below.

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/s/ Martin P. Sheehan

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